

REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 88-97 are pending in the present application. Claims 1-87 have been canceled. Support for claims 88-97 may be found in the original claims and in the present specification at page 11, lines 2-11.

Applicants respectfully request the examination and consideration of all of claims 88-97 in their full scope. Claims 88-97 are directed to methods for suppressing the differentiation of undifferentiated blood cells in vitro. Applicants believe that the claims 88-97 are sufficiently related so that an examination of all of the claims in their full scope is warranted.

Independent claims 88 and 92 are directed to methods that utilize a serrate-1 peptide. Dependent claims 89-91 and 93-95 further recite specific sequence identification numbers utilized in the claimed method. However, as noted in the present specification at page 11, SEQ ID NO: 7 is the mature full length amino acid sequence of Serrate-1. The amino acid sequence of SEQ ID NO: 5 is a sequence of the active center of Serrate-1 but lacks the signal peptide. SEQ ID NO: 5 corresponds to amino acids 1 to 198 in SEQ ID NO: 7. As to SEQ ID NO: 6, SEQ ID NO: 6 corresponds to amino acids 1 to 1036 in SEQ ID NO: 7. As a

result, applicants believe that the sequences are sufficiently related in structure and function so as to warrant an examination of all of the claims in their full scope. Indeed, the Patent Office has not presented any evidence to the contrary.

Moreover, applicants believe that all of the claims are directed to a general inventive concept where there is a relationship among the inventions that involves at least one common or corresponding special technical feature. As the Examiner is aware, the term special technical feature is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the prior art. As all of the claims are linked to a general inventive concept, applicants believe that all of the claims in their full scope should be examined.

The Examiner is also respectfully reminded that the United States Patent and Trademark Office published its policy for the examination of patent applications containing sequence listings in the Official Gazette, 1192 O.G. 68 (November 19th, 1996). Applicants note that in establishing the new policy, the Commissioner has partially waived the requirements of 37 CFR 1.41 and will permit a reasonable number of sequences to be claimed and examined in a single application. Under this policy, up to 10 sequences may be examined in a single application without

restriction. Indeed, Applicants believe that they are entitled to an examination of all the pending claims in their full scope.

In the outstanding Official Action, the title of the invention was objected to for not being descriptive. However, as suggested by the Examiner the title has been amended. Indeed, Applicants would like to thank the Examiner for her suggestion as to how to overcome this objection.

The abstract was objected to for not referring to a human serrate-1 polypeptide or to a method of using the peptide. However, a new abstract has been provided. The new abstract provides that the present invention related to a method for suppressing differentiation of undifferentiated blood cells in vitro by contacting the cells in vitro with a serrate-1 peptide. Thus, it is believed that the abstract provides an adequate description of the present invention.

Claims 1-3 and 30 were rejected under 35 USC 112, first paragraph. The Official Action alleged that the present disclosure did not enable the claimed invention. It is believed that the present amendment obviates this rejection.

Claims 88-97 have been drafted to recite methods of suppressing differentiation of undifferentiated blood cells in vitro. The methods comprise contacting the undifferentiated blood cells in vitro with a serrate-1 peptide. Thus, the claims are not directed to suppressing the differentiation of all cells in vitro

and in vivo. As a result, it is believed that claims 88-97 are enabled by the present disclosure. Indeed, the Patent Office does not contend otherwise.

Claims 1-3 and 30 were rejected under 35 USC 112, second paragraph, as allegedly being indefinite. Applicants believe that the present amendment obviates this rejection.

In imposing the rejection, claims 1 and 30 were rejected for reciting non-elected subject matter. However, as noted above, applicants believe that they are entitled to an examination on the merits of all of the pending claims in their full scope.

Claims 1 and 30 were also rejected for allegedly being incomplete. However, claims 88-97 have been drafted to recite a step wherein the differentiation of the claimed cells has been suppressed.

Claims 2 and 3 have been canceled. The recitations of claims 2 and 3 are no longer recited in the claims. Thus, it is believed that this rejection has been obviated by the claimed invention.

It is believed that claims 88-87 are definite to one skilled in the art.

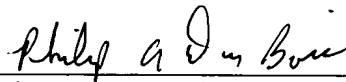
In view of the present amendment and the foregoing remarks, therefore, it is believed that this application is now in condition for allowance, with claims 88-97, as presented.

Allowance and passage to issue on that basis are accordingly respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item:

- a new Abstract of the Disclosure